

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF GEORGIA  
ALBANY DIVISION

GABRIELLE and DARYL MEUNIER,  
Husband and wife, individually, and  
as Next Friends and Natural Guardians of  
CHRISTOPHER MICHAEL MEUNIER,  
a minor,

Plaintiffs,

v.

PEANUT CORPORATION OF  
AMERICA, a Georgia corporation;  
KELLOGG COMPANY, a Delaware corporation;  
and STEWART PARNELL, individually,

Defendants.

NO. 1:09-CV-12-WLS

**NOTICE OF VOLUNTARY DISMISSAL OF DEFENDANT STEWART PARNELL  
WITHOUT PREJUDICE**

COMES NOW the plaintiffs to hereby voluntarily dismiss from this action defendant Stewart Parnell, pursuant to Rule 41(a)(1)(A)(i), without prejudice or award of costs.

Because the defendant Parnell has filed neither an answer nor a motion for summary judgment, no stipulation of dismissal is required under the rules.

ACCORDINGLY, the plaintiffs hereby respectfully request that the Court dismiss from this action defendant Stewart Parnell without prejudice or award of costs to any parties.

DATED: June 10, 2009

**ON BEHALF OF THE PLAINTIFFS:**

\_\_\_\_\_  
/s/ William D. Marler  
William D. Marler, WSBA #17233  
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Attorneys for the plaintiffs

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 10, 2009, I electronically filed a true and correct copy of the foregoing NOTICE OF VOLUNTARY DISMISSAL OF DEFENDANT STEWART PARNELL WITHOUT PREJUDICE through the Court's CM/ECF system which shall cause service to be electronically made upon the following:

Mr. Alan M. Maxwell  
950 East Paces Ferry Road  
Suite 3000  
Atlanta, Georgia 30326

Mr. Dean N. Panos  
Jenner & Block LLP  
330 N. Wabash Avenue  
Chicago, Illinois 60611-7603

DATED: June 10, 2009

/s/ William D. Marler

William D. Marler, WSBA #17233

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